

**WISHA ADVISORY COMMITTEE (WAC)**  
**MEETING MINUTES**  
**February 9, 2005**  
**L&I Headquarters Building, Room S126**

**Members Present:** Larry Bindner, WA and Northern Idaho District Council of Laborers; Glen Foresman, Top Food and Drug; Sharon Ness, United Staff Nurses Local 141; Claude Golden, The Boeing Company; Tom Egan, Board of Industrial Insurance Appeals; Ed Wood, Jr., Communication Workers of America Local 7818; Tim Gottberg, GLY Construction and Michael Wood, Department of Labor & Industries

**Members Not Present:** Randy Loomans, Washington State Labor Council and Michael Roozen, Washington Bulb Company

**Guests:** Scott LaBar, Educational Service District #112; Donovan Quebedeaux and Amy Brackenbury, Building Industry Association of Washington; Gregory Chryst, OSHA Region X; Janice Camp, University of Washington and Dan Fazio, Washington Farm Bureau

**Staff Present:** Anne Soiza, Barbara Silverstein, Alan Lundeen and Ken Mettler

**Recorder:** Gerald Franks

**Opening Remarks – Michael Wood**

- Michael Silverstein recently departed the agency for a position at the University of Washington. Michael Wood will be the acting assistant director for WISHA until a new L&I director is selected and they appoint a permanent assistant director for WISHA.
- Bills introduced in the current legislative session that impact WISHA include several that would eliminate compliance enforcement for violations during initial visits to agricultural employers with ten or fewer full-time employees (HB1553, SB 5632) and several dealing with regulatory reform (HB 1445, HB1673). There was no WISHA-request legislation introduced this year; however, in the L&I budget submitted to the Governor's office, additional funding requests are included for the WISHA Information Network and the Right-to-Know fund.
- There have been a number of workplace fatalities already this year including five involving motor vehicles.
- The Governor's Industrial Safety and Health Advisory Board (GISHAB) will hold its first annual agriculture safety day in March.
- The willful violations in the Diamaco case (lead removal on a bridge) were all affirmed by the Industrial Appeals Judge.
- The revised regional directive on ergonomics enforcement will not be pursued in the near future. Future action will depend on the outcome of the *Supervalu* case, which the agency is asking be reviewed directly by the Supreme Court.

### **SHARP Update – Barbara Silverstein**

Barbara provided a brief overview of the following SHARP activities and reports (also available on the SHARP website):

- Blade safety tips for the food processing industry.
- Washington FACE (Fatality Assessment and Control Evaluation) program fatality data for 2004.
- A FACE construction fatalities supplement and various FACE fatal fact sheets.
- A new brochure titled “Injured at Work...What workers’ compensation data reveal about work-related musculoskeletal disorders (WMSDs).”

Barbara said that more articles about SHARP activities are being placed in various trade publications. She also gave a PowerPoint presentation on a NIOSH WMSD study of the upper extremities that focused on carpal tunnel and rotator cuff syndrome. *An electronic version of this presentation will be sent to committee members when available.*

### **WISHA First-Aid/CPR Requirements – Alan Lundeen**

The WISHA first-aid rule was updated and became effective June 1, 2004. The first-aid requirements are now on two pages (distributed) in the core rulebook. The major items that were removed include: requirements for specific information on the first aid option plan, specifics on the minimum subjects that had to be covered in a first-aid class, specifics on retraining intervals and requirements to provide a first-aid station for employers with more than 50 employees.

WISHA adopted and references the OSHA first-aid training requirement that states: “In the absence of a hospital, clinic or infirmary in near proximity to the workplace, which is used for the treatment of all injured employees, a person or person shall be adequately trained to render first-aid.” In addition, WISHA also no longer requires CPR training as part of first-aid training although it is still recommended.

Michael said the rule was updated because of the decision in the *National Security Consultants* Court of Appeals case in which the court concluded that the language in Title 51 that indicates that employers with more than 50 employees had to have a first-aid trained individual precluded L&I from having rules applying to employers with fewer than 50 employees. OSHA does not exempt employers with less than 50 employees so to make the conflict between the decision and the WISHAct clear we decided to reference the federal rule for all employers.

### **Training & Outreach Update – Anne Soiza**

The GISHAB, with support from L&I and the Washington State Farm Bureau and others, is holding the first annual agriculture safety conference on March 9, 2005 at the Yakima Convention Center (brochure distributed). The main topic on the agenda is cholinesterase monitoring along with tractor, ladder and pesticide safety. We are expecting 300-600 participants, and all sessions will be presented in English and Spanish.

The machine safety rule became effective on January 1, 2005 but workshops can still be requested for a limited time. The 2005 safety and health video catalog was distributed. WISHA has the top safety library in the country in terms of titles and circulation (usage is 150,000 viewers annually). Maintenance of the safety website is taking 90% of staff time; however, our training developers have a goal to increase the number of presentations on the website by 80

before July for people to download and use in their safety meetings (information on new web training kits currently available was distributed).

A new safety and health outreach group has been recently created. Ken Mettler and Jeannie Hayes have begun work on prevention outreach at various venues in addition to regular regional outreach services. Anne encouraged everyone to contact her office if they had suggestions to improve safety and health outreach to business and labor. We are looking for more stakeholder involvement in advertising our workshops.

### **Stakeholder & Community Relations – Michael Wood**

Michael would like the committee's guidance on ways for WISHA to build/re-build relationships with business and labor groups to advance worker protection and better define WISHA's role in safety and health. We would like to explore new ways of communicating the fact that we do more than just write regulations and that we've accomplished much outside of this committee in the areas of clear rule writing, workshops, website materials, etc.

Michael suggested several approaches including using a town-hall meeting model or having business groups sponsor conferences with passive displays of training and outreach materials that would include an opportunity for an initial presentation, how things should be done, a question and answer period and follow-up on subjects such as how we do enforcement, what happens during an inspection, how penalties are calculated, etc. Michael added in the past many worker protection discussions have bogged down over one rule (ergonomics) that kept WISHA from having broader discussions on other subjects with business and labor.

As a result of questions and comments from committee and audience members, the WAC agreed that it will be the position of the committee as a group (and in specific situations, as individuals) that WISHA should pursue this initiative of improving stakeholder relations with business and labor.

There will be further stakeholder relations discussion at the June meeting.

### **Miscellaneous:**

*Several committee members requested an update on WISHA legislation before the June meeting.*

### **Next Meeting – All**

The next meeting of the WISHA Advisory Committee is scheduled for June 8, 2005, in the L&I headquarters building, from 9:00 a.m. to noon in S126.

With no further business, the meeting was adjourned.

### **Tentative agenda items for June:**

- SHARP Update
- AGC Ergonomic Program Presentation
- Clear Rule Writing Update
- WAC role in Stakeholder Relations Discussion

**Action Items:**

<b>WHO</b>	<b>WHAT</b>
<b>Gerald Franks</b>	<b>Send e-version of NIOSH study on WMSD's of the upper extremities to the committee members when available.</b>
<b>Gerald Franks</b>	<b>Send the committee members a WISHA legislative update before the June meeting.</b>

**Future meetings:**

September 14, 2005 from 9:00-noon in room S117

November 9, 2005 from 9:00-noon in room S126